

## REMARKS

In response to the Office Action dated May 23, 2005, please consider the preceding amendments and the following remarks made in a good faith attempt to move prosecution of this application forward to a proper allowance of the claims.

Please note that any and all fees associated with this response, including any applicable extension fees under 37 C.F.R. 1.136, and any fees for newly presented claims, may be charged to the deposit account of the undersigned, **Account No. 50-0894**.

Applicant here requests such extensions under 37 C.F.R. 1.136 as may be necessary to render this response timely.

Please note that claims 1-3 and 5-6 have been canceled. Also note that claim 4 has been amended and claims 7-9 have been added, which do not contain new matter. As such, Applicant believes claims 4 and 7-9 to be in condition for allowance.

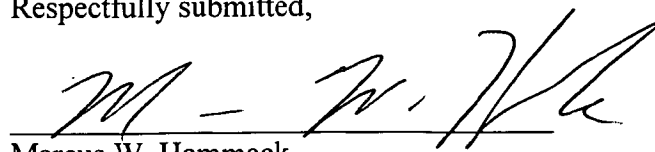
### **Amendments to Claims**

Claims 1-6 currently stand rejected under 35 USC 102(b) as being anticipated by Furuta (4953321) and Furuta (4928423). Applicant asserts that such rejection is improper in light of amended claim 4 and new claims 7-9. "Anticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 193 (Fed. Cir. 1983). First, claim 4 has been amended to positively recite the required limitation that the titanium alloy be deposited onto the fishing hook via physical vapor deposition. This is vital to the present invention because this method of producing the fishing hook provides far superior adhesion to the core material and final properties as opposed to other

methods, including chemical vapor deposition. In contrast, Futura teaches and claims a fishing hook with titanium applied through a chemical vapor deposition process. Futura '321, column 4, lines 53-55; Futura '423, column 4, lines 1-5. Secondly, claim 7 and 8 have been added to recited the requirement of certain embodiments of the present invention that the titanium percentage of the deposited layer be richer at the surface of the core material than at the surface of the fishing hook exposed to atmosphere as disclosed in the original application. Original Application, page 16, lines 13-17. This, of course provides both superior adhesion with the core material and superior anti-corrosive properties. In contrast, the fishing hook coated with chemical vapor deposition, as taught in Futura, makes no mention of producing a fishing hook with controlled richer titanium near the core and richer non-metallic material near the surface. Finally, claim 9 has been added to claim the process of depositing a titanium coating on a fishing hook as originally disclosed in the present invention. As such, the physical vapor deposition process disclosed in the application of the present invention is significantly different that the chemical vapor deposition process of applying a coating to a fishing hook as taught in Futura. Therefore, because the aforementioned essential elements and limitations of the claims in the present invention are not disclosed in the prior art cited, claims 4 and 7-9 are not anticipated by either Futura '321 or '423.

Applicant respectfully submits, that in view of the preceding, Claims 4 and 7-9 are in condition for allowance. Reconsideration and withdrawal of the rejections are hereby requested, and allowance of Claims 4 and 7-9 at an early date is solicited. If impediments to allowance of the claims remain and a telephone conference between the undersigned and the examiner would help remove such impediments in the opinion of the Examiner, a telephone conference is respectfully requested.

Respectfully submitted,



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